

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARCUS WASHINGTON,

Petitioner,

v.

WARDEN WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:19-cv-00256-MMD-CSD

ORDER

This is a habeas corpus action under 28 U.S.C. § 2254. Before the Court is Petitioner Marcus Washington's Status Report Concerning Discovery. (ECF No. 95 ("Report").) In his Report, Washington states that he is not pursuing any further discovery after his latest discovery efforts ended up fruitless. (*Id.* at 2.)

This Court previously postponed the deadline for filing an answer until after completion of discovery. (ECF No. 89.) Due to Washington's Report, this Court finds it necessary to reinstate the briefing schedule announced in its order granting Respondents' motion to dismiss, in part. (ECF No. 66.)

It is therefore ordered that, within 60 days of the date of entry of this order, Respondents must file an answer addressing all claims in the amended petition on the merits, under a *de novo* standard of review as to ground 3, and also addressing whether ground 3 is barred by procedural default under federal law.

It is further ordered that Washington will have 30 days from service of the answer within which to file a reply.

DATED THIS 16th Day of August 2022.


MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE